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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,248	10/19/2000	Mitsuteru Kataoka	2000 1450A	5018

7590 04/10/2007  
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Washington, DC 20006

EXAMINER
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REILLY, SEAN M

ART UNIT	PAPER NUMBER
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2153

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/691,248	KATAOKA	
	Examiner	Art Unit	
	Sean Reilly	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2007.
- 2a) ☒ This action is FINAL.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 38-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 38-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This Office action is in response to Applicant's amendment and request for reconsideration filed on January 19, 2007. Claims 38-54 are presented for further examination. All previously pending claims have been canceled. Claims 38-54 are new.

#### ***Response to Arguments***

Applicant asserts that Katinsky does not disclose various features of the claimed invention. These arguments are moot since the Katinsky reference has been removed. In this office action the independent claims are now rejected solely in view of Applicant's admitted prior art. Applicant also asserts that the AAPA clearly does not disclose or suggest the transmitting means and operation of new claims 38, 43, and 48 because the AAPA cannot 1) store a plurality of content bodies in a single storage means, 2) output each of the stored content bodies, and 3) add the respective content header to each of the outputted content bodies so that a receiving means (unit) and operation can determine a content, including the browser content body, among the plurality of received contents based on the content header included in each of the plurality of received contents (Applicant response pg 11, 3<sup>rd</sup> ¶). Examiner respectfully disagrees with each of these points.

With regard to point #1, AAPA clearly disclosed multiple storage units for storing browsers and service content (see inter alia, pg 3, lines 5-14, storages 2511a, 2511b, 2511c, 1113a, 1113b, and 1113c). At the very least the combination of these storages represents a *storage means* for storing multiple browsers. With regard to point #2, AAPA clearly disclosed transmitting the stored content bodies to a receiver. This occurs during the broadcasting or

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transmitting of each service and the service's associated content (see the multiplexing and then the transmitting steps, pg 5, line 25 – pg 6, line 18).

With regard to point #3, Applicant contends that AAPA failed to disclose adding a content header to each of the outputted content bodies so that a receiving means and operation can determine a content, including the browser content body, among the plurality of received contents based on the content header included in each of the plurality of received contents. Examiner respectfully disagrees. Examiner has equated Applicant's claimed header information with the AAPA system browser service identifiers (e.g. B(S1)) and service content identifiers (e.g. C(S3,2)) (see inter alia pg 4, lines 4-11, pg 5, lines 1-15). These identifiers are essential to AAPA's system for recognizing each piece of content and how that content relates to another piece of content. For instance B(S3) represents browser service #3 and C(S3, 2) represents content item 2 for service 3. Furthermore AAPA system clearly utilizes this identifying information during the receiving and de-multiplexing process to determine a particular content, including the browser content body (e.g. browser service), among the plurality of received contents ("demodulates and separates the multiplexed information" see inter alia, pg 6, line 19 – Col 7, line 17). Thus, Examiner maintains that AAPA clearly disclosed adding a content header to each of the outputted content bodies so that a receiving means and operation can determine a content, including the browser content body, among the plurality of received contents based on the content header included in each of the plurality of received contents.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

**1. Claims 38-39, 42-44, 47-49, 52-54 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicant's admitted prior art as described in Applicant's specification on pages 1-11.**

With regard to claim 38, Applicant's admitted prior art disclosed a storage based broadcasting system which stores a plurality of contents to provide a service and a user interface to a user, said system comprising:

- Transmission means ("transmitter") for transmitting the plurality of contents (browser service and associated service content) (the "transmitter" transmits the multiplexed content; pg 5, line 25 – pg 6, line 5); and
- Receiving means for receiving the plurality of contents from said transmission means via a transmission path (pg 6, lines 19-25), and activating the user interface (e.g. the content is rendered, pg 7, lines 18-20), wherein:
- Each of the plurality of contents includes a content body (browser service and associated service content that is multiplexed and sent to a client, see inter alia, pg 4, lines 4-11, pg 4, lines 19-25, pg 5, lines 9-15, and pg 5, line 25 – pg 6, line 11) and a content header (e.g. identifiers for the browser service and the service content; e.g. B(S1) – browser service 1, C(S3, 2) – content item 2 for service 3;

see inter alia pg 4, lines 4-11, pg 5, lines 1-15) for defining each of the plurality of contents respectively;

- The content body is one of a service content body for providing the service and a browser content body for providing the user interface with the service (again browser service and associated service content; refer to the above references);
- The content header attached to the browser content body contains a content flag which distinguishes the browser content body from the service content body (the content identifiers e.g. B(S1) or C(S3, 2) are used during de-multiplexing at the client to identify the content, see inter alia pg 6, line 23 – pg 7, line 17);
- Said transmitting means comprises:
  - Storage means for storing a plurality of contents bodies (Figure 24, browser and content storages);
  - Content body pitcher means for outputting each of the plurality of content bodies stored in said storage means (Figure 24, transmitter 116), and
  - Content assembler means for adding the respective content header to each of the plurality of content bodies outputted from said content body pitcher means (The multiplexing processes meshes both the browser services and associated service content together along with each of their associated identifiers, e.g. B(S1), see inter alia pg 5, line 19 – pg 5); and
- Said receiving means comprises browser content determination means for determining a content, including the browser content body, among the plurality of

received contents based on the content header included in each of the plurality of received contents (de-multiplexing process, pg 7, lines 3-17).

With regard to claim 39, Applicant's admitted prior art disclosed said transmission means further comprises service property information transmitting means for transmitting service property information for indicating properties of the service and said receiving means further for receiving the transmitting service property information; (e.g. service name, Figure 28 and pg 8, lines 14-20); and said browser content determination means is further for determining a content, including the browser content body among the plurality of received contents based on the service property information in addition to the content header (e.g. service name information associated with each service and service content which was stored during the de-multiplexing process, Figure 28 and pg 8, lines 14-20 and de-multiplexing, pg 7, lines 3-17);

With regard to claim 42, Applicant's admitted prior art disclosed said content pitcher means further comprises content ID space management means for sending information for defining a part of an ID space of the content; and said receiving means further comprises designation means for designating the content including the browser content body, based on a content ID included in the defined part of the ID space (as discussed and mapped above content identifiers are sent and received for associated content with a particular service, e.g. C(S1, 1); furthermore there may be multiple content packages associated with each service that is identified by a content ID in an ID space; e.g. in the example on pg 5, lines 1-8; there are three content packages for a service #3, hence the ID space have 3 IDs 1, 2, and 3, C(S3, 1), C(S3, 2), C(S3, 3)).

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Claims 43-44, 47-49, and 52-53 are rejected using a similar rationale as applied to the above claims.

With regard to claim 53, Applicant's admitted prior art disclosed a delivery unit operable to receive the content including the browser content body transmitted by said transmission unit, and transmit the transmitted content including the browser to said receiving unit (pg 6, lines 12-18).

With regard to claim 54, Applicant's admitted prior art disclosed said transmission unit is operable to transmit the content as a digital bit stream to said delivery unit and said delivery unit is operable to transmit the transmitted content as a digital bit stream to the receiving unit (digital communications are utilized, pg 6, line 23 - 2).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**2. Claims 40-41, 45-46, and 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art and Schell et al. (U.S. Patent Number 6,751,735; hereinafter Schell).**

With regard to claims 40-41, 45-46, and 50-51, Applicant's admitted prior art disclosed substantial features of the claimed invention however, Applicant's admitted prior art failed to disclose the use of unique electronic signatures and public keys to authenticate the received



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services and associated service content. Nonetheless it was notoriously well known in the art at the time of Applicant's invention to use unique electronic signatures and public keys to authenticate content, as evidenced by at least Schell Col 2, line 39- Col 3, line 7. Hence, it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Applicant's admitted prior art system to include unique electronic signatures with each content item transmitted and authenticate the transmitted content using public keys, in order to ensure the integrity of the content transmitted and thus increase the overall security of the system.

### *Conclusion*

3. The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 30, 2007



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